

COMMISSION FOR TEACHER PREPARATION AND LICENSING

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August 20, 1979

79-8008

TO: Deans and Directors of Teacher Education Programs,
Directors of Health Services Credential Programs, and
Directors of Programs in Professional Nursing

FROM: Peter L. LoPresti, Executive Secretary *PL*

SUBJECT: Legislation Related to the Detection and Treatment of
Cases of Child Abuse and Neglect (Chapter 1225)

Assembly Bill 2491 (Antonovich) was chaptered into law on September 27, 1978. It is the intent of the Legislature that professionals likely to come in contact with abused and neglected children receive adequate training in the detection, prevention, and treatment of child abuse and neglect. A complete copy of Chapter 1225 is attached for your reference.

Chapter 1225 amends and/or adds sections in the Business and Professions Code, the Health and Safety Code, the Penal Code, and the Education Code relating to child abuse and neglect. You will be particularly interested in the revisions or additions to sections 44690, 44691, and 44877 of the Education Code. Please note, especially, the third paragraph of section 44877 which states:

"On and after January 1, 1981, the qualifications for a nurse shall also include proof satisfactory to the school district that the nurse has acquired training in child abuse and neglect detection. This requirement may be satisfied through participation by the nurse in continuing education activities relating to child abuse and neglect detection and treatment."

As you know, many graduates of programs in professional nursing seek and are granted a Health Services Credential on the basis of a California Registered Nurse License, and a baccalaureate degree. After January 1, 1981 an individual hired on the basis of the preliminary Health Services Credential will need to provide to the school district verification of training in child abuse and neglect detection.

All Health Services Credential Programs approved by the Commission are required to develop understandings and demonstrable competencies in a number of categories, including child abuse and neglect detection. Completion of an approved professional preparation program for the Health Services Credential will serve as satisfactory verification of training in child abuse and neglect detection.

Chapter 1225

An act to amend Section 2101.6 of, and to add Section 2112 to, the Business and Professions Code, to amend Section 44877 of, and to add Chapter 3.2 (commencing with Section 44690) to Part 25 of Division 3 of Title 2 of the Education Code, to add Section 605 to the Health and Safety Code, and to add Section 13517 to the Penal Code, relating to child abuse and neglect.

LEGISLATIVE COUNSEL'S DIGEST

AB 2491, Antonovich. Child abuse and neglect.

Existing law makes certain provisions respecting training of peace officers and other professional personnel in the handling of sexual assault cases.

This bill would make similar provisions relative to handling of child abuse and neglect cases by peace officers, doctors, nurses, and school personnel, to be administered as specified by the Commission on Peace Officer Standards and Training, the State Office of Child Abuse Prevention, the Department of Education, and other specified state agencies.

The bill would provide that there are no new duties, obligations, or responsibilities imposed on local government by the bill that require the reimbursement of such agencies.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature that cases of child abuse and neglect be detected and treated as early as possible. Detection of child abuse and neglect requires specialized training by the people who are likely to come into contact with such children. Therefore, it is the intent of the Legislature that professionals likely to come into contact with abused and neglected children receive adequate training in the detection, prevention, and treatment of child abuse and neglect.

SEC. 2. Section 2101.6 of the Business and Professions Code is amended to read:

2101.6. In or of physicians and chapter, the 1977, adopt an education of such require certified the continuing less than four requirements. of nutrition and 2192.3, to be the general or specific determined by questions being.

The board shall continuing education abuse detection those forms of likelihood, to be of coming into children.

The board shall aid such physicians child abuse and distributed to general acute

SEC. 3. Section 2112. The disseminate in treatment of physician and chapter. The board Child Abuse distributed pursuant

SEC. 4. Chapter 44690) is added Education Code

Chapter 1225

tion 2101.6 of, and to add Section and Professions Code, to amend to add Chapter 3.2 (commencing Part 25 of Division 3 of Title 2 of add Section 605 to the Health and Section 13517 to the Penal Code, and neglect.

ATIVE COUNSEL'S DIGEST

n. Child abuse and neglect. certain provisions respecting training and other professional personnel in assault cases.

similar provisions relative to handling neglect cases by peace officers, school personnel, to be administered on Peace Officer Standards. State Office of Child Abuse Prevention of Education, and other.

vide that there are no new duties, liabilities imposed on local government require the reimbursement of such

of California do enact as follows:

the intent of the Legislature that child neglect be detected and treated. detection of child abuse and neglect training by the people who are likely with such children. Therefore, it is the Legislature that professionals likely to be abused and neglected children. ang in the detection, prevention. abuse and neglect.

1.6 of the Business and Professions Code, to read:

2101.6. In order to insure the continuing competence of physicians and surgeons certificate holders under this chapter, the Division of Licensing shall by January 1, 1977, adopt and administer standards for continuing education of such certificate holders. The division shall require certificate holders to demonstrate satisfaction of the continuing education requirements at intervals of not less than four nor more than six years. In determining its requirements, the board shall consider including a course of nutrition and of human sexuality as defined in Section 2192.3, to be taken by persons in those forms of practice, general or special, where there is any likelihood, to be determined by the Division of Licensing, of related questions being asked of them.

The board shall also consider as a high priority in the continuing education requirements a course in child abuse detection and treatment to be taken by persons in those forms of practice, general or special, where there is likelihood, to be determined by the Division of Licensing, of coming into contact with abused and neglected children.

The board shall also develop educational material to aid such physicians in the detection and treatment of child abuse and neglect and require that these be distributed to every physician, surgeon and licensed general acute care hospital in the state.

SEC. 3. Section 2112 is added to the Business and Professions Code, to read:

2112. The board shall periodically develop and disseminate information regarding the detection and treatment of child abuse and neglect to all of the physician and surgeon certificate holders under this chapter. The board shall consult with the State Office of Child Abuse Prevention in developing the materials distributed pursuant to this section.

SEC. 4. Chapter 3.2 (commencing with Section 44690) is added to Part 25 of Division 3 of Title 2 of the Education Code, to read:

Chapter 1225

CHAPTER 3.2. STAFF DEVELOPMENT IN THE DETECTION OF CHILD ABUSE AND NEGLECT

44690. "School personnel" means all persons who work directly and on a regular basis with pupils, including teachers, administrators, pupil service employees defined in subdivision (e) of Section 33150, paraprofessionals and volunteers.

44691. The State Office of Child Abuse Prevention shall develop and disseminate information to all school districts and district school personnel in California regarding the detection of child abuse. The information may be disseminated by the use of literature, as deemed suitable by the Department of Education. Staff development seminars and any other appropriate means of instructing school personnel in the detection of child abuse and neglect and the proper action that school personnel should take in suspected cases of child abuse and neglect, shall be developed by the Department of Education.

SEC. 5. Section 44877 of the Education Code is amended to read:

44877. The qualifications for a nurse shall be a valid certificate of registration issued by the Board of Nurse Examiners of the State of California or the California Board of Nursing Education and Nurse Registration and either a health and development credential, a standard designated services credential with a specialization in health, or a services credential with a specialization in health.

The services credential with a specialization in health authorizing service as a school nurse shall not authorize teaching services unless the individual holds a baccalaureate degree, or its equivalent, and has completed a fifth year of preparation.

On and after January 1, 1981, the qualifications for a nurse shall also include proof satisfactory to the school district that the nurse has acquired training in child abuse and neglect detection. This requirement may be satisfied through participation by the nurse in continuing education activities relating to child abuse and neglect

detection and
SEC. 6. Section
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SEC. 7. Section
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HISTORY: A.B.
1978, filed

STAFF DEVELOPMENT IN THE
CHILD ABUSE AND NEGLECT

"personnel" means all persons who on a regular basis with pupils, including teachers, pupil service employees, and volunteers.

The Office of Child Abuse Prevention shall disseminate information to all school personnel in California regarding the detection of child abuse. The information shall be disseminated by the use of literature, as deemed appropriate by the Department of Education. State and any other appropriate means shall be used to train personnel in the detection of child abuse and the proper action that should be taken in suspected cases of child abuse. The guidelines developed by the Department of

44877 of the Education Code shall

qualifications for a nurse shall be a validation issued by the Board of Nursing of California or the California State Board of Education and Nurse Registration and Credentialing, a standard credential with a specialization in child abuse and neglect, or a credential with a specialization in health care.

initial with a specialization in health care. A school nurse shall not authorize a child to be removed from school unless the individual holds a credential, or its equivalent, and has completed the required preparation.

On or after January 1, 1981, the qualifications for a school nurse shall be proof satisfactory to the school district that the nurse has acquired training in child abuse and neglect. This requirement may be satisfied by the nurse in continuing education relating to child abuse and neglect

detection and treatment.

SEC. 6. Section 605 is added to the Health and Safety Code, to read:

605. The qualifications prescribed by the state department under this chapter shall include a requirement that an applicant for employment as a public health nurse and all public health nurses employed on or after January 1, 1981, acquire training in child abuse and neglect detection.

SEC. 7. Section 13517 is added to the Penal Code, to read:

13517. (a) The commission shall prepare guidelines establishing standard procedures which may be followed by police agencies in the detection, investigation, and response to cases in which a minor is a victim of an act of abuse or neglect prohibited by this code. The guidelines shall include procedures for determining whether or not a child should be taken into protective custody.

(b) The course of training leading to the basic certificate issued by the commission shall, not later than July 1, 1979, include adequate instruction in the procedures described in subdivision (a).

(c) The commission shall prepare and implement an optional course of training of specialists in the investigation of cases in which a minor is a victim of an act of abuse or neglect prohibited by this code.

(d) The commission shall consult with the State Office of Child Abuse Prevention in developing the guidelines and optional course of training.

SEC. 8. There are no state-mandated local costs in this act that require reimbursement under Section 2231 of the Revenue and Taxation Code because there are no new duties, obligations or responsibilities imposed on local government by this act.

HISTORY: A.B. 2491, approved September 26, 1978, filed September 27, 1978.